



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hirotake NOZAKI et al.

Group Art Unit: 2622

Application No.: 10/758,178

Examiner: A. CUTLER

Filed: January 16, 2004

Docket No.: 118246

For: DIGITAL CAMERA AND DIGITAL CAMERA SYSTEM

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

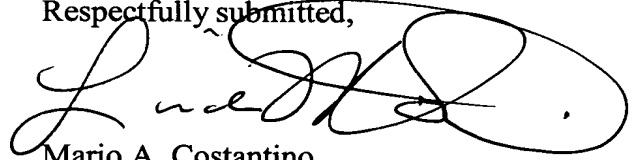
In reply to the June 18, 2007 Election of Species Requirement, a Petition for Extension of time being filed concurrently herewith, Applicants provisionally elect Species I, Figures 4, 5, 6, 45, 64 and 65, with traverse. At least claims 1, 3-5, 9, 10, 12, 13, 16, 17, 19, 22, 59, 64-71 and 76 read on the elected species. At least claims 5, 9, 12, 14, 16, 22, 29, 64, 66, 69, 71 and 76 are generic.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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MAC:LMS/hs

Date: December 18, 2007

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